

REGISTER OF CLASSIFICATION DECISIONS

Title of Publication: 1w8uqg3g.TMP

Other Known Title: Not Stated

Format: Computer Image File Printout

Director/Author: Not Applicable

Producer/Publisher: Not Applicable

Country of Origin: New Zealand

Language: Not Applicable

Applicant: Commissioner of Police

Distributor: Not Applicable

Classification:	Unrestricted.
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Descriptive Note: Not Applicable

Display Conditions: Not Applicable

Date of entry in Register: 21 February 2008

Date of direction to issue a label: Not Applicable

OFLC No: 702949

Excisions: Not Applicable

Reasons for excisions:

Not Applicable

**Summary of reasons
for classification:**

The computer image file printout *1w8uqg3g.TMP* is classified as:
Unrestricted.

The image on the printout is a "candid" shot of a naked young girl sitting on a bed and using her cellphone. The girl's genitals are not visible and there is nothing overtly sexual about her position or attitude. The lack of focus on genitals and absence of content that might sexualise the image that means that it cannot fairly be said to be "reasonably capable of being regarded as sexual in nature". The image raises no issues under s3(1), s3A or s3B of the Films, Videos, and Publications Classification Act 1993. The publication must, therefore, be classified as unrestricted. This classification is consistent with the right to freedom of expression as set out in s14 of the New Zealand Bill of Rights Act 1990.